

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT’S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION “SUMMARY ORDER”). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals  
for the Second Circuit, held at the Thurgood Marshall United  
States Courthouse, 40 Foley Square, in the City of New York,  
on the 20<sup>th</sup> day of May, two thousand sixteen.

PRESENT: DENNIS JACOBS,  
BARRINGTON D. PARKER,  
REENA RAGGI,  
Circuit Judges.

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UNITED STATES OF AMERICA,  
Appellee,

-v.- 14-3400,  
14-4585

VINCENT BASCIANO, JR.,  
Defendant-Appellant,

SALVATORE LARCA, AKA SEALED DEFENDANT  
1, AKA SAL LARCA, MATTHEW STROCK,  
THOMAS DONAHUE, AKA TRE, AKA ROY  
DWYER, ANTHONY ZOCCOLILLO, JR.,  
GEORGE KOKENYEI, JOSEPH BASCIANO,  
ELON VALENTINE, AKA HIT, DOMINICK  
DELUCCIA, KENNETH OWEN, STEPHEN  
BASCIANO, MITCH ENGLESON,



1 science," United States v. Treacy, 639 F.3d 32, 48 (2d Cir.  
2 2011), so "district courts may use general points of  
3 reference as a starting point for a forfeiture calculation  
4 and make reasonable extrapolations supported by a  
5 preponderance of the evidence," Roberts, 660 F.3d at 166  
6 (internal quotation marks omitted). Thus, in a narcotics  
7 case, the government may sustain its burden by "proving the  
8 quantity of [narcotics] dealt . . . multiplied by the price  
9 it could have commanded." Id. at 165.

10  
11 Basciano's plea agreement stipulated to his sale of at  
12 least 100 kilograms (or 220 pounds) of marijuana. The  
13 district court proposed to use that quantity, and no party  
14 objected. The district court then multiplied that quantity  
15 by the retail price of \$9,700 per pound. Recognizing the  
16 result was only an estimate, the district court rounded down  
17 by \$134,000 and ordered forfeiture of \$2,000,000.

18  
19 This calculation was "a reasonable estimate of the  
20 loss, given the available information." Treacy, 639 F.3d at  
21 48 (internal quotation marks omitted). Multiplication of  
22 amount by price is an approach expressly permitted in our  
23 prior precedent. See Roberts, 660 F.3d 165. Because the  
24 district court's estimate was reasonable, we affirm the  
25 amount of the forfeiture order.

26  
27 For the foregoing reasons, and finding no merit in the  
28 defendant's other arguments, we hereby **AFFIRM** the judgment  
29 of the district court.

30  
31 FOR THE COURT:  
32 CATHERINE O'HAGAN WOLFE, CLERK  
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